

January 7, 2025

Via ECF

Judge Dora L. Irizarry
United States District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *McDonald's Corporation v. Vanderbilt Atlantic Holdings, LLC*
Case No: 19-cv-6471-DLI-ST

Dear Judge Irizarry:

The parties submit this letter in accordance with the Court's November 15, 2024 minute entry.

First, on December 11, 2024, the parties met and conferred about the possibility of agreeing to either (1) participate in the EDNY mediation program, or (2) engage the third appraiser and have the three appraisers work collaboratively to try to reach agreement on the fair market rental value for the property. Unfortunately, the parties were unable to reach agreement on either issue and, therefore, request that the trial proceed as scheduled on February 3-6 and February 10-11, 2025.

Second, at and after the meet and confer, the parties resolved some of their evidentiary disputes. However, certain issues remain outstanding and the parties will submit a revised Joint Pre-Trial Order for Your Honor's consideration.

We look forward to discussing these matters further with Your Honor on January 15.

Respectfully submitted,

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